

report and recommendation.

A de novo review of the record indicates that the magistrate judge's report accurately summarizes this case and the applicable law. Accordingly, the magistrate judge's report and recommendation is **AFFIRMED**, defendants' motion to dismiss is **GRANTED IN PART** as to plaintiff's civil conspiracy, breach of the covenant of good faith and fair dealing, and intentional infliction of emotional distress claims, and **DENIED IN PART** as to plaintiff's race discrimination claim.

IT IS FURTHER ORDERED that plaintiff's motion to amend is **GRANTED IN PART** as to filing an amended complaint that clarifies the federal basis of her claims (with exception of her proposed claim under 28 U.S.C. § 1983) and **DENIED IN PART** as to adding a claim under 28 U.S.C. § 1983 or for breach of contract or continuing to allege claims for civil conspiracy, breach of the covenant of good faith and fair dealing, and intentional infliction of emotional distress.

IT IS FURTHER ORDERED that plaintiff is given fifteen (15) days from the date of this order to amend her complaint.

AND IT IS SO ORDERED.



David C. Norton
United States District Judge

January 11, 2013
Charleston, South Carolina

must be 'sufficiently understandable to one in appellant's circumstances fairly to appraise him of what is required.'" Id. at 846. Plaintiff was advised in a clear manner that his objections had to be filed within ten (10) days, and he received notice of the consequences at the appellate level of his failure to object to the magistrate judge's report.

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified that any right to appeal this Order is governed by Rules 3 and 4 of the Federal Rules of Appellate Procedure.